(1)

(3)

IN THE HIGH COURT OF JUDICATURE, AT BILASPUR
CHHATTISGARH

Writ Petition No. 2078/2003

PETITIONERS

NEERA DASH
Aged about 18 years
Daughter of
Dr.R.K.Dash(Ex-Major)
R/o. V/8 Amakherwa,
Manendragarh,
District Korea (C.G.)

VERSUS

RESPONDENTS :

1. State of Chhattisgarh
Through the Secretary
Department of Health, Family
Welfare & Medical Education
Mantralaya, DKS Bhawan
Raipur (C.G.)

2. Director Medical Education
Government of Chhattisgarh,
Mantralaya, DKS Bhawan,
Raipur (C.G.)

3. The Dean,
Jawahar Lal Nehru
Memorial Medical
College, Raipur,CG

4.Chhattisgarh Madhyamik
Shiksha Mandal, Pension Bada,
Raipur (C.G.)
Through Controller.

P. R. No. 19/5/03
Presented by Shri Meena Gupta
dated 15/9/03

Amended as per court order dt. 29/8/2003.

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA
FOR ISSUANCE OF APPROPRIATE WRITS AND DIRECTIONS

(1)

IN THE HIGH COU

Writ Pe

PETITIONERS

RESPONDENTS :

P. R. No. 19.5.03
Presented by Shri Meena Gupta
dated 15.02.03

15/2/03

Attested
29/8/
Amended as per Co
order dt. 29/8/2003.
29/8/2003

PETITION UNDER ARTICLE
FOR ISSUANCE OF

"5. Ms.Jyoti Pandey
D/o Arun Kumar Pandey
R/o 40 Creda Regional Office
Anand Nagar, Raipur-492001
(Chhattisgarh)"

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 2078/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	30-8-2003 Shri Kanak Tiwari, with Shri Sandeep Dubey counsel for the petitioner. Shri Sanjay K. Agrawal, Deputy Advocate General for the State/respondents. The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India and challenged the result dated 26-6-2003 published by the respondents and giving chance for admission to the respondent No.5 against the reservation quota. The main grievance of the counsel for the petitioner is that the respondent No.1 to 3 are giving admission to respondent No.5 against the women Sanik cadre whereas, the respondent No.5 does not belong to Sanik cadre. Mr. Kanak Tiwari submitted that as per the rules to decide the eligibility of the candidate whether the candidate comes under the cadre of Sanik or not, the whole jurisdiction lies with the Secretary Solders Board. The certificate issued by him is the only valid certificate upon which the cadre of the candidate can be decided and the petitioner is the eligible candidate against the Sanik category quota as per the Rules and the District Sanik Welfare Office, Raipur has issued a certificate Annexure-P/10 in which it has been mentioned that they have not issued any certificate in favour of respondent No.5 Jyoti Pandey and in spite of that the respondents are considering the respondent No.5 against Sanik Cadre quota.	

(81)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Shri S.K. Agrawal, Deputy Advocate General appearing for the respondents 1 to 4 very fairly and frankly submitted before the Court that the respondents will admit the students in first year M.B.B.S. course strictly in accordance with the rules contained in the broucher issued by the respondents and that too at the time of the counselling the respondents will scrutinize all the documents/testimonials of the candidates in order to ascertain their eligibility for admission and if on scrutiny it is found that the respondent No.5 is not from Sanik quota as per the Rules, then the respondents are not going to give admission to the respondent No.5 against Sanik cadre quota.

Counselling is yet to take place in which as per the submissions made by the learned Deputy Advocate General the respondents will scrutinize the documents strictly in consonance with sub-rule 5 of Rule 4 and explanation to sub-rule 5 and they will give admissions only to the eligible candidates as per the certificates.

In view of the submissions made by the learned counsel for the respondents, at this stage, I do not find any substance in the apprehension and argument of the learned counsel for the petitioner and based on the submissions advanced by the learned Deputy Advocate General, the petition is disposed of accordingly.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barve*

[पीछे देखिये